



**CITY COUNCIL MEETING FOR JUNE 24, 2014**  
**777 B STREET, HAYWARD, CA 94541**  
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**REVISED**

**CLOSED SESSION**  
**Closed Session Room 2B – 4:00 PM**

**1. PUBLIC COMMENTS**

2. Conference with Legal Counsel  
Pursuant to Government Code 54956.9  
➤ Anticipated Litigation (one case)

3. Conference with Legal Counsel  
Pursuant to Government Code 54956.9  
➤ Pending Litigation
- a. Hackney v. City of Hayward, U.S.D.C., N.D. CA, C-14-1714
  - b. Shah v. City of Hayward, U.S.D.C., N.D. CA, C-13-4516
  - c. Stoddard-Nunez v. City of Hayward, U.S.D.C., N.D. CA, C-13-04990
  - d. Whitted v. City of Hayward, U.S.D.C., N.D. CA, C-14-02526
  - e. Ochoa v. City of Hayward, U.S.D.C., N.D. CA, C-14-02385
  - f. Net Connection, LLC v. City of Hayward, U.S.D.C. N.D., CA 13-1212
  - g. Chrysler Group Realty, etc. v. City of Hayward, A.C.S.C. No. RG14722275

4. Conference with Labor Negotiators  
Pursuant to Government Code 54957.6  
➤ Lead Negotiators: City Manager David; City Attorney Lawson; Assistant City Manager McAdoo; Finance Director Vesely; Deputy City Attorney Vashi; Director of Maintenance Services McGrath; Acting Human Resources Director Collins; Senior Human Resources Analyst Monnastes; Community and Media Relations Officer Holland; Jack Hughes, Liebert, Cassidy and Whitmore  
Under Negotiation: All Groups

5. Conference with Real Property Negotiators  
Pursuant to Government Code 54956.8  
➤ Under Negotiation: South Hayward BART Land Purchase and Requisition  
Lead Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Project Consultant DeClercq, Development Services Director Rizk, Finance Director Vesely, and Heather Gould and Rafael Yaquian from Goldfarb Lipman

6. Adjourn to Special Joint City Council/Redevelopment Successor Agency/Housing Authority Meeting
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**SPECIAL JOINT CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY/  
HOUSING AUTHORITY MEETING  
Council Chambers – 7:00 PM**

**CALL TO ORDER** Pledge of Allegiance Council Member Zermeño

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATION**

Certificate of Recognition to Hayward High Student Bobbie Reyes-Kaguay for  
Regional Competition at the Computer History Museum

**PUBLIC COMMENTS**

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*The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Work Session, or Informational Staff Presentation items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.*

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**NON-ACTION ITEMS:** *(Work Session and Informational Staff Presentation items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.)*

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**WORK SESSION (60-Minute Limit)**

1. 21<sup>st</sup> Century Library and Community Learning Center – Design Update (***Report from Library and Community Services Director Reinhart***)
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**ACTION ITEMS:** *(The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

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**CONSENT**

2. Approval of Special Minutes of the City Council Meeting on June 10, 2014  
*Motion*

*June 24, 2014*



3. Cast Iron Water Pipeline Replacement FY14 Project: Approval of Addendum and Rejection of Bids  
*Resolution*
  4. Adoption of a Resolution Approving an Amendment for \$49,000 to a Professional Services Agreement for Associate Planner Services in the Planning Division  
*Resolution*
  5. Adoption of Resolution Extending the Inclusionary Housing Interim Relief Ordinance for a Six-Month Period  
*Resolution*
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***The following order of business applies to items considered as part of Public Hearings and Legislative Business:***

- *Disclosures*
  - *Staff Presentation*
  - *City Council Questions*
  - *Public Input*
  - *Council Discussion and Action*
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**PUBLIC HEARING**

6. Adopt Resolutions and Introduce Ordinances Regarding Establishment of Zoning Regulations Related to the Retail Sales of Tobacco and Tobacco-Related Products, Including Electronic Cigarettes, as well as Proposed New Fees and Amendments to the City's Smoking Pollution Control Ordinance (Text Amendment Application No. PL-2013-0389); the City has Prepared a Negative Declaration, which Concludes That the Project Will Not Have a Significant Negative Impact on the Environment; Applicant: City of Hayward (***Continued from June 17, 2014***) (***Report from Development Services Director Rizk***)  
*Resolutions (2)*  
*Introduction of Ordinances (3)*
7. Approval of Disposition, Development, and Loan Agreement for disposition of certain real property located at 123-197 A Street and a \$600,000 loan of Housing Authority funds, both for the development of a ten (10)-unit affordable homeownership project to be constructed by Habitat for Humanity East Bay/Silicon Valley, Inc. and Approval of Categorical Exemption under Section 15332 of the CEQA Guidelines for the Project (***Report from Assistant City Manager McAdoo***)  
*Resolution*  
*Housing Authority Resolutions (2)*

**LEGISLATIVE BUSINESS**

8. Gann Appropriations Limit for FY 2015  
*Resolution*

*June 24, 2014*



9. Approval of the FY 2015 Annual Operating Budget and Appropriations for FY 2015; Approval of the FY 2015 Capital Improvement Program Budget and Appropriations for FY 2015; Approval of the Hayward Redevelopment Successor Agency Budget; Approval of the Hayward Housing Authority Budget (***Report from Finance Director Vesely***)

**\*\*\* Report will be available no later than June 23, 2014 \*\*\***

*Resolutions (4)*

*Redevelopment Successor Agency Resolution*

*Housing Authority Resolution*

## **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items.

## **ADJOURNMENT**

**NEXT REGULAR MEETING – 7:00 PM, TUESDAY, JULY 1, 2014**

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***PUBLIC COMMENT RULES:*** *The Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens or organization. Speakers will be asked for their name before speaking and are expected to honor the allotted time. Speaker Cards are available from the City Clerk at the meeting.*

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***PLEASE TAKE NOTICE*** *that if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.*  
***PLEASE TAKE FURTHER NOTICE*** *that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.*

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**\*\*\****Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4<sup>th</sup> Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. \*\*\**

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*Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.*

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***Please visit us on:***



June 24, 2014

